UNITED STATES PATENT AND TRADEMARK OFFICE

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EXAMINER
HUNTSINGER, PETER K

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *20 July 2009*.
2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *22-44* is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) *22-44* is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.
10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a)☐ All   b)☐ Some * c)☐ None of:
        1.☐ Certified copies of the priority documents have been received.
        2.☐ Certified copies of the priority documents have been received in Application No. _____.
        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.
4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .
5)☐ Notice of Informal Patent Application
6)☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1.   A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 7/20/09 has been entered.

Response to Arguments

2.   Applicant's arguments filed 7/20/09 have been fully considered but they are not persuasive.

The applicant argues on pages 8 and 9 of the response in essence that:

Roosen '793 does not disclose that on subsequent requests for status information to the same data processing device, only updated status information is transmitted from the data processing apparatus to the client terminal and not the display control information.

   a.   In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., not subsequently transmitting the display control information) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

3.   Applicant's arguments with respect to claims 22-44 have been considered but are

moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

4.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

5.   Claims 22-44 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Roosen Publication 2002/0036793, in further view of McCormick Patent 5,706,411.

        Referring to **claim 22**, Roosen '793 discloses a method of controlling the display

on a client terminal (WS of Fig. 1, page 1-2, paragraph 19) of the status of a data

processing apparatus (PR of Fig. 1, pages 1-2, paragraph 19) connected to the client

terminal via a network comprising:

        providing a status request to the data processing apparatus (page 6, paragraph

109, browser of workstation asks for updated frames at predetermined intervals from

web server);

        transmitting display control information to the client terminal for controlling the

display of statuses of the data processing apparatus by the client terminal (page 6,

paragraph 99, web server dynamically prepares a web page containing the request

information and sends the prepared web page to the requesting browser of a

workstation);

transmitting status update information to the client terminal (page 6, paragraph

104, device statutes frame presents statuses of all printers); and

displaying the updated status in accordance with the display control information

(page 6, paragraph 99, all the workstations have a web browser [for displaying the web

page]);

the method further comprising storing the display control information at the client

terminal (30), and, in response to a subsequent status request, transmitting status

update information and displaying the updated status in accordance with the stored

display control information (page 6, paragraph 109, browser of workstation asks for

updated frames at predetermined intervals from web server),

wherein the stored display control information corresponds to an ordinary status

icon, and a grave fault status icon (Fig. 12, page 5, paragraphs 90-93, monitor icons

indicate status of the printers including active and error states)

Roosen '793 does not disclose expressly a slight fault status icon.

McCormick '411 discloses wherein the stored display control information

corresponds to a slight fault status icon (col. 7, lines 15-31, different icons indicated to

the user include if the printer is out of paper or an engine error state).

At the time of the invention, it would have been obvious to a person of ordinary

skill in the art to utilize a slight fault status icon. The motivation for doing so would have

been to notify a user of the cause of a printer error so that corrective measures could be

taken. Therefore, it would have been obvious at the time of the invention to combine

McCormick '411 with Roosen '793 to obtain the invention as specified in claim 22.

Referring to **claims 23 and 39**, Roosen '793 discloses wherein the display

control information for controlling the display of a status of the data processing

apparatus is assigned identification data corresponding to that status (Fig. 3, page 3,

paragraph 47-48, displays printer name).

Referring to **claims 24 and 40**, Roosen '793 discloses a status is displayed by

selecting display control information associated with the identification data relating to

that status, and controlling the display of the status using the selected display control

information (page 6, paragraph 104, a specific printer may be selected and information

corresponding to that printer will be provided).

Referring to **claim 25**, Roosen '793 discloses a status is displayed with its

identification data (page 6, paragraph 104, device statutes frame presents statuses of

all printers).

Referring to **claims 26 and 41**, Roosen '793 discloses wherein the display

control information comprises image information corresponding to the statuses (Fig. 3,

page 3, paragraph 47-48, displays a symbol indicating the status of the printer).

Referring to **claim 27**, Roosen '793 discloses wherein the data processing

apparatus stores information relating to its status (page 6, paragraph 109, web server

sends status information to the workstation [the status information must be stored

before it can be sent]).

Referring to **claim 28**, Roosen '793 discloses status update information is determined when the status of the data processing apparatus changes (page 4, paragraph 56, workstation notified at the time that a change of printer status occurs).

Referring to **claim 29**, Roosen '793 discloses wherein the client terminal stores information relating to the status of the data processing apparatus (page 6, paragraph 109, browser of workstation receives status from web server [received status must be stored before it is displayed]).

Referring to **claim 30**, Roosen '793 discloses the client terminal compares stored status information with status update information received from the data processing apparatus in response to the subsequent data request in order to determine the updated status (page 3, paragraph 44, mode information is dynamic).

Referring to **claim 31**, Roosen '793 discloses wherein the data processing apparatus stores update interval information for controlling an interval for the transmission of status update information (page 6, paragraph 109, browser asks for updated frames at predetermined intervals).

Referring to **claim 32**, Roosen '793 discloses status requests are provided to the data processing apparatus at an interval based on the update interval information (page 6, paragraph 109, browser asks for updated frames at predetermined intervals).

Referring to **claims 33 and 42**, Roosen '793 discloses wherein the data processing apparatus is an image forming apparatus (printer 200 of Fig. 2c, page 1-2, paragraph 19) (page 7, paragraph 111, web server can be built into each printer).

Referring to **claims 34 and 43**, Roosen '793 discloses the status of the data

processing apparatus indicates that it is able to perform a print function, or that there is

an error (page 4, paragraph 64, display states of the printer including idle and error).

Referring to **claims 35 and 44**, McCormick '411 discloses in which the status

information indicates an error type (col. 7, lines 15-31, different icons indicated to the

user include if the printer is out of paper or an engine error state).

Referring to **claim 36**, Roosen '793 discloses a system comprising a data

processing apparatus (PR of Fig. 1, pages 1-2, paragraph 19) and a client terminal

arranged (WS of Fig. 1, page 1-2, paragraph 19) to communicate with the data

processing apparatus over a network (20), wherein:

the data processing apparatus is arranged to transmit status update information

to the client terminal in response to receiving a first status request (page 6, paragraph

109, browser of workstation asks for updated frames at predetermined intervals from

web server), and to provide display control information to the client terminal for

controlling the display of statuses of the data processing apparatus by the client

terminal (page 6, paragraph 99, web server dynamically prepares a web page

containing the request information and sends the prepared web page to the requesting

browser of a workstation);

the client terminal is arranged to display the updated status in accordance with

the received display control information, and to store the display control information

(page 6, paragraph 99, all the workstations have a web browser [for displaying the web

page]);

the data processing apparatus is arranged to transmit status update information

to the client terminal in response to receiving a second status request; and the client

terminal is arranged to display the updated status in accordance with the stored display

control information (page 6, paragraph 109, browser of workstation asks for updated

frames at predetermined intervals from web server),

wherein the stored display control information corresponds to an ordinary status

icon, and a grave fault status icon (Fig. 12, page 5, paragraphs 90-93, monitor icons

indicate status of the printers including active and error states)

Roosen '793 does not disclose expressly a slight fault status icon.

McCormick '411 discloses wherein the stored display control information

corresponds to a slight fault status icon (col. 7, lines 15-31, different icons indicated to

the user include if the printer is out of paper or an engine error state).

At the time of the invention, it would have been obvious to a person of ordinary

skill in the art to utilize a slight fault status icon. The motivation for doing so would have

been to notify a user of the cause of a printer error so that corrective measures could be

taken. Therefore, it would have been obvious at the time of the invention to combine

McCormick '411 with Roosen '793 to obtain the invention as specified in claim 22.

Referring to **claim 37**, Roosen '793 discloses a data processing apparatus (PR of

Fig. 1, pages 1-2, paragraph 19) having means for communicating with a client terminal

(WS of Fig. 1, page 1-2, paragraph 19), comprising:

means for storing status information (page 6, paragraph 109, web server sends status information to the workstation [the status information must be stored before it can be sent]); and

means for storing display control information for controlling the client terminal to display the status of the data processing apparatus (page 6, paragraph 99, web server dynamically prepares a web page containing the request information and sends the prepared web page to the requesting browser of a workstation);

wherein the communication means is arranged to transmit first status update information and display control information to the client terminal in response to a first status request (page 6, paragraph 109, browser of workstation asks for updated frames at predetermined intervals from web server), and to transmit second status update information to the client terminal in response to a second status request (page 6, paragraph 109, browser of workstation asks for updated frames at predetermined intervals from web server), the second status update information being for display by the client terminal in accordance with the display control information transmitted in response to the first request (page 6, paragraph 99, all the workstations have a web browser [for displaying the web page]),

wherein the stored display control information corresponds to an ordinary status icon, and a grave fault status icon (Fig. 12, page 5, paragraphs 90-93, monitor icons indicate status of the printers including active and error states)

Roosen '793 does not disclose expressly a slight fault status icon.

McCormick '411 discloses wherein the stored display control information corresponds to a slight fault status icon (col. 7, lines 15-31, different icons indicated to the user include if the printer is out of paper or an engine error state).

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to utilize a slight fault status icon. The motivation for doing so would have been to notify a user of the cause of a printer error so that corrective measures could be taken. Therefore, it would have been obvious at the time of the invention to combine McCormick '411 with Roosen '793 to obtain the invention as specified in claim 22.

Referring to **claim 38**, Roosen '793 discloses comprising means for generating status update information when the status of the apparatus changes (page 4, paragraph 56, workstation notified at the time that a change of printer status occurs).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Peter K. Huntsinger whose telephone number is (571)272-7435. The examiner can normally be reached on 9-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Moore can be reached on (571)-272-7437. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

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For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Peter K. Huntsinger/
Examiner, Art Unit 2625

/David K Moore/
Supervisory Patent Examiner, Art Unit 2625